



Opioid Abatement Council

FY2022 Annual Report

Staffed by Mary Shelton, Executive Director

Report No. 1 | September 30, 2022



Executive Summary

As outlined in Tenn. Code Ann. §33-11-105(b) the Council shall create and the Director shall deliver to the Governor, the Speaker of the Senate, the Speaker of the House of Representatives, the Chairs of the Government Operations Committees of the Senate and House of Representatives, and the Chairs of the Finance, Ways, and Means Committees of the Senate and House of Representatives on or before September 30 of each year an annual report for the prior fiscal year that details the following:

- Total funds deposited into the opioid abatement fund,
- The abatement strategies funded, and
- Any disbursement or expenses paid from the opioid abatement fund.

Highlighted FY2022 Key Activities

- Council Chair and members were appointed
- Interviews for the Executive Director were conducted
- Preparation for the first Council meeting, which was held July 8, 2022
- Preparation for setting up the office within TDMHSAS
- The Opioid Abatement Council website was launched in Summer 2022

The Focus of this Annual Report

This report covers only those funds disbursed to the opioid abatement trust fund which is managed by the Opioid Abatement Council. The trust fund, formally named the Tennessee Opioid Abatement Fund Trust, was established by statute in 2021. The trust agreement was adopted on April 13, 2022.

Gratitude for the Attorney General's Office

The Opioid Abatement Council would like to acknowledge the years of work from the Tennessee Attorney General's Office as they negotiated the multiple settlements which are now available to prevent and address the misuse and abuse of opioid products and treat or mitigate opioid use or related disorders or other effects of the opioid epidemic. They continue to lead future negotiations and offer guidance to the Executive Director and the Opioid Abatement Council.

Creating the Opioid Abatement Council

Introduction

Tennessee's Opioid Abatement Council was created by the Tennessee General Assembly in 2021 Public Act Chapter 491 to manage the disbursement of proceeds from lawsuits and settlements relating to the opioid crisis. The Council upholds the responsibility to ensure the disbursements of these funds go toward funding programs, strategies, expenditures, and other actions designed to prevent and address the misuse and abuse of opioid products and treat or mitigate opioid use or related disorders or other effects of the opioid epidemic. Disbursement directives include:

Public Act Chapter 491 was passed on May 5, 2021 and approved on

- Funding or supporting opioid abatement and remediation purposes and related administrative costs
- Incorporating input from the TDMHSAS Statewide Planning and Policy Council's Need Assessment Process
- Developing policies for stakeholder input
- Reporting annually on funds deposited, strategies funded, and disbursements made

The membership of the Council is appointed by the Governor, the Lieutenant Governor, the House Speaker, the Tennessee County Services Association, and the Tennessee Municipal League. Additionally, the Commissioner of TDMHSAS serves on the Council as a non-voting member. Appointees of the Governor, the Lieutenant Governor, and the House Speaker serve an initial four-year term. Appointees of the TN County Services Association and Municipal League serve an initial five-year term.

During FY2022, the Tennessee Department of Mental Health and Substance Abuse Services (TDMHSAS) worked to fulfill its responsibilities as outlined in 2021 Public Act Chapter 491 Section 7(a). TDMHSAS completed these activities through the search and then recommendation of a candidate for the Executive Director position.

TDMHSAS leadership worked with the appointing authorities to ensure appointees were apprised of primary points of contact for the department, as well as planned for and organized the first Council meeting, with support from the Tennessee Attorney General's Office.

Most notably, TDMHSAS fulfilled its duty to staff the council, specifically recommending to the Council a candidate to serve as Executive Director. The Council Chair presented the final candidate to the Council during its first meeting held on July 8, 2022. During this meeting, the majority of the Council voted in favor of the Department's recommendation.

In addition, TDMHSAS initiated activities, in partnership with the Tennessee Department of Human Resources and the Tennessee Department of Finance and Administration, to create two (2) additional positions to support the work of the Council. It is anticipated these positions will be presented to the Council in FY2023 for approval to hire.

Finally, the Opioid Abatement Council's website was created and launched in the Summer of 2022. This website can be viewed here: [TN.gov/behavioral-health/oac.html](https://www.tn.gov/behavioral-health/oac.html)

The website includes:

- Council members and their bios
- Council's meeting schedule
- Past meeting minutes and meeting materials
- A link to the Tennessee Attorney General's Opioid Settlement Information Page
- Executive Director's contact information

Council Chair and Council Members

As established by the Tennessee General Assembly in statute, the Council is to have 15 members appointed by the Governor, the Lieutenant Governor, the House Speaker, the Tennessee County Services Association, and the Tennessee Municipal League.

There are 15 Council members including the Chair.

Dr. Stephen Loyd – Cedar Recovery – Chairman of the Council

Charme P. Allen - Knox County District Attorney General

Brian Buuck – Ridgeview Behavioral Health Services

Casey Cox – Cumberland County Sheriff

Thomas Farmer – Tennessee Bureau of Investigation

Mike Flynn – Blount County District Attorney General

Armando Fontes – Retired Cocke County Sheriff

Dr. Timothy Fournet, MD FACC – Cookeville Cardiologist

Dr. Clay Jackson – West Tennessee Physician

Dr. Ken Moore – Franklin Mayor

Karen Pershing – Metro Drug Coalition, Knoxville

Judge E. Shayne Sexton – 8th Judicial District

Lisa Tipton – Families Free

Wayne Wykoff – Knoxville Attorney

Dr. Stephanie G. Vanterpool, MD, MBA, FASA – UT Medical Center

Commissioner Marie Williams, non-voting member

Total Funds Deposited into the Opioid Abatement Fund

During FY2022, only one (1) deposit was made to the opioid abatement fund.

Company	Amount
McKinsey	\$13.2 million

The Tennessee Treasury manages the Opioid Abatement Trust Fund.

The Abatement Strategies Funded

During FY2022, there were no opioid abatement strategies funded as the Council had not yet met nor was the Opioid Abatement office staffed.

Any Disbursement or Expenses Paid from the Opioid Abatement Fund

During FY2022, the following disbursements occurred:

- \$282,600 to TDMHSAS to support administrative staff. No funds were spent as the Director had not started employment with TDMHSAS.

Contact Information

Please contact Mary Shelton, Executive Director, Opioid Abatement Council for any additional information or if there are questions.

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